

ENTERED

September 06, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MIDFIRST BANK,

Plaintiff.

VS.

ABRAHAM JUNIOR MORRISON,

Defendant.

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CIVIL ACTION NO. 4:21-cv-02603

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUMS AND RECOMMENDATIONS**

On July 12, 2022, Plaintiff MidFirst Bank's Motion for Summary Judgment (Dkt. 20) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(B). *See* Dkt. 21. Judge Edison filed a Memorandum and Recommendation on July 18, 2022, recommending the motion be **GRANTED** as to Plaintiff's request for declaratory relief and **DENIED** without prejudice as to Plaintiff's request for attorney's fees. *See* Dkt. 22. On July 20, 2022, Plaintiff filed a Motion for Attorney's Fees. Dkt. 23. That motion was also referred over to Judge Edison. Dkt. 24. On August 19, 2022, Judge Edison filed a Memorandum and Recommendation, recommending that the Motion for Attorney's Fees be **GRANTED**. *See* Dkt. 25.

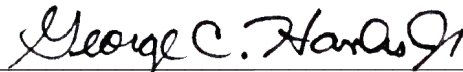
No objections have been filed to either Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendations for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendations (Dkts. 22, 25) are **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff's Motion for Summary Judgment (Dkt. 20) is **GRANTED** as to Plaintiff's request for declaratory relief.
- (3) Plaintiff's Motion for Attorney's Fees (Dkt. 23) is **GRANTED**. Plaintiff shall have and recover its attorney's fees in the amount of \$7,015.28. The attorney's fees will not be a personal judgment against Defendant, but solely recoverable as a further obligation owed under the Note and Security Instrument.

It is so **ORDERED**.

SIGNED and ENTERED this 6th day of September 2022.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE